



Department of
Toxic Substances
Control

*Preventing
environmental
damage from
hazardous waste,
and restoring
contaminated
sites for all
Californians.*



State of California



California
Environmental
Protection Agency

Fact Sheet, October 2007

The Toxics in Packaging Prevention Act

A Fact Sheet for Grocers and Retailers on Bags and Totes

The Department of Toxic Substances Control (DTSC) prepared this fact sheet to help grocers understand and comply with the Toxics in Packaging Prevention Act. This fact sheet will introduce you to the requirements in this law, and explain the recordkeeping required of grocers under the new law. You may wish to consult the actual law for more detailed information.

What is the law?

The goal of the Toxics in Packaging Prevention Act is to eliminate the addition of these metals from packaging to protect our environment.

Put simply, the Toxics in Packaging Prevention Act is a law that limits the quantities of four heavy metals: cadmium, lead, mercury, and hexavalent chromium, from packaging and packaging components. This law bans the intentional introduction of these metals by the manufacturer in any amount and limits the incidental presence of the sum total of these metals to 100 parts per million (ppm).

To read the actual law, please refer to State of California Health and Safety Code §§25214.11-25214.21. The law can be found on the internet at <http://www.leginfo.ca.gov/calaw.html>

What do I, as a grocer or retailer, need to do?

As a grocer, your store is a purchaser of packages, for example the bags you supply at the checkout counter. As a purchaser, your store should obtain Certificates of Compliance from the package manufacturer or supplier for each package or packaging component that it supplies with the merchandise it sells. Your store should maintain these Certificates of Compliance as long as the packages or packaging components are in use by the store. DTSC may request copies of these Certificates of Compliance from the purchaser.

What should I be asking my manufacturer or supplier to provide to me?

The manufacturers need to be complying with the requirements of the new law for packaging or packaging components they sell or supply in California.

Your manufacturers and suppliers are required by law to provide you the Certificates of Compliance discussed above for the packaging materials you purchase from them.

Examples of Certificates of Compliance may be obtained at the Toxics in Packaging Clearinghouse website, <http://www.toxicsinpackaging.org>



Can I keep my Certificates of Compliance at a central location, or must I keep them at each store location?

You may keep the Certificates of Compliance at a central location, as long as you can provide them within a reasonable time if they are requested by DTSC.

Where can I find more information on Toxics in Packaging?

DTSC has a website just for information on Toxics in Packaging. The URL is <http://www.dtsc.ca.gov/ToxicsInPackaging>. Our site includes a more general fact sheet, specific information for Manufacturers, Suppliers, and Purchasers, and links to other sites. We also maintain an email list (ListServ) that you may sign up for, so that anyone may receive updates from DTSC regarding Toxics in Packaging.

Where can I find more information on the new plastic bag recycling program?

You can find more information on this program at the following website:

<http://zerowaste.ca.gov/Events/Plastic/default.htm>.

Specific information for grocers and retailers may be found at

<http://zerowaste.ca.gov/Events/Plastic/default.htm>.

If the bags or totes can't be supplied to customers, may I dispose of them?

If you wish to dispose of bags and totes that can't be supplied to customers, they must be disposed of according to applicable laws. If the bags or totes exceed hazardous waste thresholds, they must be disposed in an appropriate hazardous waste disposal facility.

I still have questions? Where can I get them answered?

If you have questions, you may contact us via email: tipinfo@dtsc.ca.gov, or by calling the Toxics in Packaging program at (916) 322-4819.